

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America,

Case No. 21-cr-196 (PJS/TNL)

Plaintiff,

v.

**ORDER**

Charles Randall Sorensen,

Defendant.

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This matter is before the Court on Defendant Charles Randall Sorensen's Motion to Continue Deadlines. (ECF No. 32.) Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under Speedy Trial Act. (ECF No. 33.)

Defendant asks to continue "all deadlines for disclosure, motions, hearings, and trial in this matter" for approximately six weeks. (ECF No. 32 at 1.) Specifically, Defendant requests that the motion filing deadline be extended to December 15, 2022. (*Id.*) Defendant makes this request for a number of reasons specific to this case. Defendant notes that discovery in this case is complex, involving tax and accounting issues and cryptocurrency transactions. (*Id.*) He argues that he needs "more time to process the enormous amount of discovery and tax related documents needed to prepare an adequate defense," as his experts stopped working through the documents while awaiting court funding. (*Id.* at 1-2.) Defendant believes that a continuance "will result in a resolution of the case." (*Id.* at 2.) The parties have met and conferred and agree to the continuance. (*Id.*)

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources. While this is the fifth continuance and this number of continuances is atypical, the Court finds that it is warranted given the unique circumstances in this case. **Nonetheless, the Court notes that this is the fifth continuance, and the parties are on notice that the Court will be very reluctant to grant another continuance. Given the numerous extension requests, the Court will require counsel to appear for a status conference on December 12, 2022, at 9:00 a.m. Counsel shall meet, confer, and provide the Court a letter not to exceed three pages that updates the Court about the status of the case no later than December 8, 2022.**

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Continue Deadlines (ECF No. 32) is **GRANTED**.
2. The period of time from **October 31, 2022, through January 17, 2023**, shall be excluded from Speedy Trial Act computations in this case.
3. Counsel shall meet, confer, and provide the Court a letter not to exceed three pages that updates the Court about the status of the case no later than **December 8, 2022**. Counsel shall appear for a status conference on **December 12, 2022, at 9:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

4. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **December 15, 2022**.<sup>1</sup>

D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.<sup>2</sup>

5. **Counsel shall electronically file a letter on or before December 15, 2022, if no motions will be filed and there is no need for a hearing.**

6. All responses to motions shall be filed by **January 3, 2023**. D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses<sup>3</sup> shall be filed by **January 3, 2023**. D. Minn. LR 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses<sup>4</sup> shall be filed by **January 9, 2023**. D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary;  
or
- b. Oral argument is requested by either party in its motion, objection or

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<sup>1</sup> “Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute.” D. Minn. LR 12.1(b).

<sup>2</sup> U.S. Mail or hand-deliver to 300 South Fourth Street, Suite 9W, Minneapolis, MN 55415.

<sup>3</sup> “When a party intends to call witnesses at a hearing on a motion under Fed. R. Crim P. 12(b), the party must file a notice within 35 days after the arraignment. The notice must identify the number of witnesses whom the party intends to call, the motion or motions that each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(A).

<sup>4</sup> “If after reviewing a notice under LR 12(c)(3), a party intends to call witnesses at the same hearing, that party must file a responsive notice within 38 days after the arraignment. The responsive party must identify the number of witnesses whom the party intends to call, the motion or motions each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(B).

response pleadings.

10. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **January 17, 2023**, at **10:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

11. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief District Judge Patrick J. Schiltz of the United States District Court for the District of Minnesota to confirm the new trial date.**

Dated: November   2  , 2022

          s/ Tony N. Leung            
TONY N. LEUNG  
United States Magistrate Judge  
District of Minnesota

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